

## **REMARKS**

Applicant is in receipt of the Office Action mailed November 21, 2006. Claims 1 – 28 remain pending in the application.

### **Section 102 Rejections**

Claims 1 – 28 are rejected under 35 U.S.C. §102(e) as being anticipated by Rajan et al. (U.S. Publication No. US 2004/0030822, hereinafter “Rajan”). Applicant respectfully traverses the rejections in light of the following remarks.

Anticipation under §102(e) requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim. *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 221 USPQ 481, 485 (Fed. Cir. 1984). The identical invention must be shown in as complete detail as is contained in the claims. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). As discussed below, Rajan fails to disclose each and every element of the claimed invention.

Applicant’s claim 1 recites:

1. A storage subsystem, comprising:  
at least one storage device; and  
a storage virtualization controller, wherein the storage virtualization controller is communicatively coupled to the at least one storage device, and wherein the storage virtualization controller is operable to:  
determine a metadata format usable to access data stored on the at least one storage device under a first operating system, wherein the metadata format is determined in response to a request by a host computer system to access the data, and wherein the metadata format is determined based on the host computer system running the first operating system;  
generate operating system metadata in accordance with the determined metadata format for the at least one storage device, wherein the operating system metadata emulates a storage volume hosted under the first operating system;

and  
send the operating system metadata to the host computer system,  
wherein the operating system metadata enables the host  
computer system to recognize the storage device as the  
storage volume hosted under the first operating system.

Applicant respectfully submits that Rajan does not teach or suggest a storage virtualization controller operable to generate operating system metadata in accordance with the determined metadata format for the at least one storage device, wherein the metadata format is determined in response to a request by a host computer system to access the data, and wherein the operating system metadata enables the host computer system to recognize the storage device as the storage volume hosted under the first operating system, in combination with the remaining features of claim 1. Thus, in Applicant's claim 1, the operating system metadata is generated in accordance with the determined metadata format for the at least one storage device in response to a request by a host computer system to access the data.

Rajan discloses a storage appliance which pools storage to create "vdisks" of varying size in response to user requests. The storage appliance provides access to the vdisks for various different storage configurations (e.g., NAS and SAN) and corresponding access protocols (e.g., CIFS, NFS, FibreChannel, etc.). However, the metadata format for the data on the storage appliance is fixed according to the requirements of the storage operating system installed on the storage appliance (see, e.g., Figures 3 and 4 and sections [0034], [0035], [0044], and [0049]). The operating system metadata in Rajan's vdisks is initially generated when the storage operating system is installed by user request, i.e., before any request by a host computer system to access the data. Therefore, Rajan does not teach or suggest a storage virtualization controller operable to generate operating system metadata in accordance with a metadata format determined in response to a request by a host computer system to access the data.

For at least the reasons discussed above, Applicant respectfully submits that independent claims 1, 14, 27, and 28 are patentably distinct from Rajan. As the

independent claims have been shown to be patentably distinct, additional discussion of the dependent claims is not necessary at this time. Applicant submits that claims 1 – 28 are in condition for allowance and respectfully requests withdrawal of the §102(e) rejection.

### **CONCLUSION**

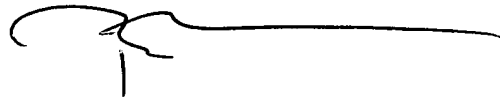
In light of the foregoing amendments and remarks, Applicants submit that all pending claims are now in condition for allowance, and an early notice to that effect is earnestly solicited. If a phone interview would speed allowance of any pending claims, such is requested at the Examiner's convenience.

The Commissioner is authorized to charge any fees which may be required, or credit any overpayment, to Meyertons, Hood, Kivlin, Kowert & Goetzel PC Deposit Account No. 50-1505/5760-09200/BNK.

Also enclosed herewith are the following items:

☒ Return Receipt Postcard

Respectfully submitted,



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